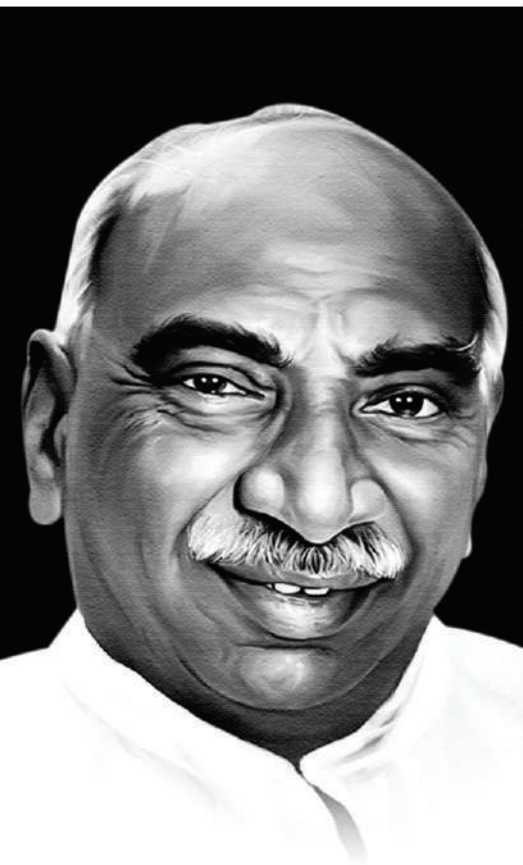


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OBC VOICE



JULY 15
EDUCATION
DEVELOPMENT
DAY



NEED FOR RESERVATION IN PRIVATE SECTOR

JOBS SHRINK
IN PSU



NCERT TEXT
BOOK REVISION



CASTE HURTS



PROPORTIONATE
REPRESENTATION

OBC CONFERENCE OF SBI OBC ASSOCIATION, CHANDIGARH CIRCLE HELD ON 27.5.2023 AT PATIALA (PUNJAB)



The General Body Meeting and Conference of SBI OBC Employees Welfare Association, Chandigarh Circle was conducted at Patiala, Punjab on 27.5.2023. Shri.Hansaraj Gangaram Ahir, Chairperson, NCBC, Shri.B.B.Kamal, Member, NCBC, Shri. Nikhil Anand, Secretary, BJP OBC Morcha addressed the Conference. Leaders from other OBC associations from Railways, RBI, SAIL, Union Bank participated and spoke on the occasion. Mukesh Kumar Saini, Gen Secretary of All India SBI OBC Association organised the function and welcomed the dignitaries and members.

SEMINAR ON SOCIAL JUSTICE 'STATUS OF OBC' AFTER 75 YEARS OF INDEPENDENCE HELD AT ECIL AUDITORIUM, HYDERABAD – JUNE 20, 2023



On the occasion of superannuation of Mr.P.Srinivas Goud, GM, ECIL and Vice President of AIOBC Employees Federation, the ECIL OBC Association organized a Seminar on "Status of OBCs" after 75 years of Independence. President P.Purnachander and Gen.Secretary J.Sreedhar welcomed the dignitaries and audience. Dr.V.Krishna Mohan Rao, Chairperson of Telangana State BC Commission, office bearers of AIOBC Employees Federation: G.Karunanidhy, Gen.Secretary, U.Chinnaiah, Working President, V.Dana Karna Chary, Vice President, G.Ramraj, Secretary (BHEL) spoke. Leaders from affiliated Units: HAL, BDL, TS Grameena Bank, BHEL, Ordnance Factory, Medak, GIC-New India Assurance, GIC-Oriental Insurance, Union Bank and members and their families from ECIL attended the function.

Revolutionary Salute Comrade Devaki Nambisan

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The views expressed
in the articles
are not necessarily ours

Devaki Nambisan, a prominent activist known for her involvement in the Velur protest - that called for women's right to cover their breasts in a temple festival - passed away at the age of 89 in Thrissur on 10th June 2023.

Historic Velur temple protest ('Maru Marakkal Samaram' - protest over right to cover breasts), held in 1956, as an extension of Upper Cloth revolt, was in protest against a custom that prevented women belonging to the Nair community from covering their breasts while taking part in certain rituals during the annual temple festival. The march was led by a group of lower caste women who were not allowed to take part in the rituals. The then Communist Party supported the march.

In Manimalarkavu temple festivals, it was customary for Nair women to participate in the ritual without covering their breasts. Besides, scheduled women were not allowed inside the temple.

In this case, Devaki and other leaders urged Scheduled caste women to wear blouses and participate in the ritual. Along with that, Nair women protested wearing blouses at the festival.

Devaki was on maternity leave and could not participate in this protest in 1956. But she acted as a focal point to unite all the women to carry out this struggle.

The protest was successful as the temple authorities allowed Dalit women to perform the rituals, along with an end to the practice of banning women from wearing blouses during rituals, all thanks to the efforts of Devaki Nambisan and the women who stood by her.

Recently, Tamil Nadu Chief Minister M.K.Stalin and Kerala Chief Minister Pinarayi Vijayan participated in a program in Kanyakumari to mark the completion of 200 years of this Upper Cloth Revolt, (தோள் சீலை போராட்டம்), a cultural war fought by women for the right to cover their breasts

Historian T Thulasidharan Asari said the erstwhile princely state of Travancore had witnessed a series of agitations for the women's right to cover their breasts, from 1830s to 1850s. The issue was resolved finally with the royal declaration in 1859 which granted women the right to cover their breasts. But the practice continued in several pockets in Malabar region even in the 1950s.

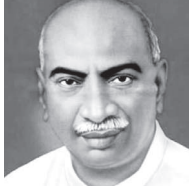
Nothing automatically changes. It changed only because of the sacrifices of the pioneers.

The long hurdles we have come across on the road to women's emancipation gives us hope for the distance we are yet to cover.

Retelling these histories again and again - and reminding ourselves - are opportunities to warn the younger generation that we should not go back to such a situation.

Let our human rights struggle continue!

Our revolutionary salute to Com. Devaki Nambisan. ■



காமராசர் பிறந்த நாள் கல்வி வளர்ச்சி நாள்

ஆம். பெருந்தலைவர் காமராஜரின் பிறந்த நாளான ஜூலை 15, தமிழ்நாட்டில் கல்வி வளர்ச்சி நாளாக கொண்டாடப்படும் என 2006-ல் சட்டமன்றத்தில் அன்றைய முதலமைச்சர் கலைஞர் கருணாநிதி தீர்மானம் நிறைவேற்றினார்.

1920ஆம் ஆண்டு தனது 16ஆவது வயதில் காங்கிரஸ் கட்சியில் தன்னை இணைத்துக் கொண்ட காமராஜர், முதன் முதலில் 1930ஆம் ஆண்டு வேதாரண்யத்தில் ராஜாஜி தலைமையில் உப்பு சத்தியாகிரக போராட்டம் தமிழகத்தில் நடந்தது. அதில் பங்கேற்று நடத்தியதற்காக அவர் கைது செய்யப்பட்டு கல்கத்தாவில் உள்ள அலிப்பூர் சிறையில் அடைக்கப்பட்டார். பிறகு ஒரு வருட தண்டனைக்கு பின் விடுதலை செய்யப்பட்டார்.

மீண்டும் 1940 விருதுநகரில் நடைபெற்ற குண்டுவெடிப்பு வழக்கில் சிக்கி கைதாகி வேலூர் சிறை சென்றார். சிறையில் இருந்தவாறே விருதுநகர் நகரத்தின் நகராட்சி தலைவர் போட்டியில் நின்று வெற்றி பெற்றார். மீண்டும் 1942 ஆம் ஆண்டு ஆகஸ்ட் புரட்சி இயக்கத்தில் கலந்து கொண்டமையால் சிறையில் அடைக்கப்பட்டார். இந்த முறை மூன்று ஆண்டுகள் சிறை வாசம் அனுபவித்தார். மொத்தமாக அவரது வாழ்நாளில் 9 ஆண்டுகள் மக்களுக்காக அவர் சிறை சென்றுள்ளார் என்பது குறிப்பிடத்தக்கது.

ராஜாஜி கொண்டு வந்த குலக்கல்வித் திட்டத்திற்கு தமிழ் நாடு முழுவதும் எதிர்ப்பு எழுந்தது. தந்தை பெரியார் தலைமையில் போராட்டங்கள் நடைபெற்றன. இதனால் மத்தியில் காங்கிரஸ் பலமாக இருந்தாலும் தமிழகத்தில் தனது பலத்தை இழந்தது. இதன் காரணமாக ராஜாஜி தனது முதல்வர் பதவியை துறந்தார். மேலும் தனக்கு பதிலாக சுப்பிரமணியம் என்பவரை நிறுத்தினார். ஆனால் சட்டசபையில் காமராசருக்கு இருந்த செல்வாக்கின் அடிப்படையில் ஓட்டெடுப்பில் வென்று 1954-ஆம் ஆண்டு முதல் முறையாக தமிழகத்தின் முதல்வர் ஆனார். காமராஜருக்கு துணையாக தந்தை பெரியார் அரண் போல் இருந்தார். 1957-இல் தமிழ்நாடு சட்டமன்றத்திற்கு தேர்தல் வந்தது சாத்தூர் சட்டமன்ற தொகுதியில் போட்டியிட்டார் காமராஜர். இந்தத் தேர்தலில் இரண்டாவது முறையாக முதலமைச்சரானார் காமராஜர். எதிர்க்கட்சியினரும் பாராட்டு வகையில் ஆட்சி நடத்திய காமராஜருக்கு 1962 தேர்தலில் வெற்றியை தந்து மூன்றாவது முறையாகவும் காமராஜர் முதலமைச்சராக தேர்ந்தெடுக்கப்பட்டார்.

மூன்று முறை தொடர்ச்சியாக தமிழ் நாட்டின் முதலமைச்சராக காமராஜர் ஆட்சி செய்த காலத்தில், தனது அமைச்சரவை குழுவினை கூட்டி தமிழக பள்ளி தேர்ச்சி மற்றும் எண்ணிக்கை குறித்து அமைச்சர்களிடம் பேசினார். அவர்களிடம் ஆலோசித்த பிறகு காமராஜர் ஒரு முடிவுக்கு வந்தார். மாணவர்கள் பள்ளிக்கு வர முதலில் நாம் ஒரு வழி செய்யவேண்டும் என்று நினைத்த அவர் மதிய உணவு அளித்தால் கண்டிப்பாக ஏழை மாணவர்கள் பள்ளிக்கு வருவார்கள் என்று முடிவு செய்து மதிய உணவு திட்டத்தை தொடங்கினார்.

நீதிக்கட்சி காலத்தில் சர் பிட்டி தியாகராயர் சென்னை மாநகராட்சியின் மேயராக, சென்னை பள்ளிகளில் துவக்கிய மதிய உணவுத் திட்டம் காமராஜர் ஆட்சியில் மாநிலம் முழுவதும் விரிந்தது. ஏழை எளிய குடும்பப் பிள்ளைகள் பள்ளியில் அதிக அளவில் சேரும் வாய்ப்பு உருவானது.

ராஜாஜி அறிமுகப்படுத்திய குலக்கல்வி திட்டத்தை தந்தை பெரியார் தலைமையில் எழுந்த எழுச்சியால் கைவிட்டார். தமிழகத்தில் மூடி இருந்த 6000 பள்ளிகளை மீண்டும் திறந்தார். மேலும் 17000க்கும் மேற்பட்ட பள்ளிகளை தமிழகம் முழுவதும் உள்ள சின்ன சின்ன கிராமங்களுக்கு அவரே சென்று திறந்து வைத்தார்.

தொழில் துறையில் வேலைவாய்ப்பு:

தமிழக இளைஞர்கள் படித்து முடித்து வேலை செய்யவேண்டும் என்று தனது முற்போக்கு சிந்தனையில் அவர் பல திட்டங்களை மக்களுக்கு கொண்டு வந்தார். அதில் முக்கியமானவை: 'நெய்வேலி நிலக்கரித் திட்டம்', 'பெரம்பூர் ரயில் பெட்டி தொழிற்சாலை', 'திருச்சி பாரத் ஹெவி எலக்ட்ரிக்ஸ்', 'கல்பாக்கம் அணு மின்நிலையம்', 'ஊட்டி கச்சா ஃபிலிம் தொழிற்சாலை', 'கிண்டி டெலிபிரிண்டர் தொழிற்சாலை', 'மேட்டூர் காகிதத் தொழிற்சாலை', 'என மேலும் பல தொழிற்சாலைகள் காமராஜரால் உருவாக்கப்பட்டன.

தமிழக அணைகள்:

மேலும் மின்சாரம் மற்றும் நீர்வள துறைகள் மீதும் நாட்டம் கொண்டிருந்த அவர் அந்தத்துறையில் பல வியக்கத்தக்க திட்டங்களை கொண்டு வந்து ஆச்சரியப்படுத்தினார் அதில் சில திட்டங்கள் 'மேட்டூர் கால்வாய்த்திட்டம்', 'பவானி திட்டம்', 'காவேரி டெல்டா வடிகால் அபிவிருத்தி திட்டம்', 'மணிமுத்தாறு, அமராவதி, வைகை, சாத்தனூர், கிருஷ்ணகிரி, ஆரணியாறு போன்ற நீர் பாசன திட்டங்களையும்' ஏற்படுத்தினார்.

1963 அக்டோபர் 2 காந்தி பிறந்த நாளில் முதலமைச்சர் பதவியில் இருந்து விலகி கட்சிப் பணி ஆற்றிடும் முடிவை எடுத்தார். இந்திய அளவில் 'காமராஜ் பிளான்' என அனைவராலும் பாராட்டப் பெற்ற அந்த முடிவை தந்தை பெரியார் ஒருவர் மட்டுமே எதிர்த்தார். Either on your own accord or on the advise of others, your resignation from Chief Ministership is suicidal to you, to your party and Tamil Nadu (உங்களது இந்த முடிவு, தங்களுக்கும், காங்கிரஸ் கட்சிக்கும், தமிழ் நாட்டுக்கும் எதிரானது) என தந்தி மூலம் தெரிவித்தார். பெரியார் சொன்னது சரி என்று காலம் நிரூபித்தது.

தமிழ்நாட்டின் வரலாற்றில் நீதிக் கட்சியை தொடர்ந்து காங்கிரஸ் கட்சி ஆட்சி புரிந்தாலும், பெருந்தலைவர் காமராஜரின் ஆட்சி, நீதிக் கட்சியின் சமூக நல திட்டங்களை மேலும் நீட்டிக்கும் ஆட்சியாக இருந்தது என சமூக ஆய்வாளர்கள் கருதுகின்றனர்.

பெருந்தலைவர் காமராஜர் வாழ்க! ■



Opposition-ruled States discriminating against OBCs:

Union Minister for environment and labour Bhupender Yadav stepped up the BJP's attack on the Opposition by citing a recent report of the National Commission for Backward Classes (NCBC) to accuse the Rajasthan, West Bengal, Punjab and Bihar governments of discriminating against the Other Backward Classes (OBC). "My question is why OBCs are being denied their due quota and benefits? It is their constitutional right. The NCBC communication to these States highlights that they are not serious about the progress of OBC students," he said.

- (THE HINDU 13.6.2023)

As nearly as 11 States including BJP ruled states are providing lesser percentage (below 27%) for OBCs. In some States where tribal population is more, citing that reason, the OBC reservation percentage has been squeezed. But the same States are providing 10% reservation to EWS. It will be in order if the Union Government and NCBC takes note of these States also and advise them to implement 27% reservation to OBCs.

- Editor.

PERCENTAGE OF RESERVATION IN EACH STATE

State/UT	SC	ST	OBC	EWS	Total
Andhra Pradesh	15	6	29	10	60
Andaman and Nicobar Islands		12	38		50
Arunachal Pradesh		80			80
Assam	7	15	27	10	59
Bihar	15	1	34	10	60
Chandigarh			27		27
Chhattisgarh	13	32	14	10	69
Dadra and Nagar Haveli and Daman and Diu	3	9	27		39
Delhi	15	7	27	10	59
Goa	2	12	27	10	51
Gujarat	7	14	27	10	58
Haryana	20		23	10	53
Himachal Pradesh	25	4	20	10	59
Jharkhand	10	26	14	10	60
Karnataka	15	3	32	10	60
Kerala	8	2	40	10	60
Lakshadweep		100			100
Madhya Pradesh	16	20	14	10	60
Maharashtra	13	7	32	10	62
Manipur	3	34	17		54
Meghalaya		80			80
Mizoram		80			80
Nagaland		80			80
Odisha	16	22	11	10	59
Puducherry	16		34		50
Punjab	29		12	10	51
Rajasthan	16	12	21	10	59
Sikkim	7	18	40		85
Tamil Nadu	18	1	50*		69
Telangana	15	6	29	10	60
Tripura	17	31	2	10	60
Uttar Pradesh	21	2	27	10	60
Uttarakhand	19	4	14	10	47
West Bengal	22	6	17	10	55

*BC 26.5%, BCM-3.5%, MBC 20%

Compiled by: G.Karunanidhy, Gen.Secretary, AIOBC Employees Federation



சமூக நீதி காவலர், மேனாள் பிரதமர் வி.பி.சிங் பிறந்த நாள் விழா
அய்.சி.எப். ஒபிசி நல சங்க பொதுக் குழு கூட்டம் - 24.6.2023

சமூக நீதி காவலர், இந்திய நாட்டின் மேனாள் பிரதமர் வி.பி.சிங் அவர்களின் 92-ஆம் ஆண்டு பிறந்த நாள் விழாவையும், ஆண்டு பொதுக் குழு கூட்டத்தையும் இணைத்து 24.6.2023 அன்று அய்.சி.எப். ஒபிசி நல சங்கத்தின் சார்பில், நல சங்க அலுவலகத்தில் விழா சிறப்பாக நடைபெற்றது. நல சங்கத்தின் தலைவர் எஸ். அன்புகுமார் தலைமை தாங்கினார். பொதுச் செயலாளர் கே.ராமமூர்த்தி அனைவரையும் வரவேற்று பேசினார். விழாவில் அகில இந்திய ஒபிசி கூட்டமைப்பின் பொதுச் செயலாளர் கோ.கருணாநிதி, அய்.சி.எப். நிறுவனத்தின் அதிகாரிகள் திரு.அழகர்சாமி, திரு.ராஜேந்திரன், தொழிற்சங்கம் மற்றும் எஸ்.சி., எஸ்.டி. நல சங்க நிர்வாகிகள் வாழ்த்தி பேசினர். விழாவில் நல சங்கத்தின் உறுப்பினர்கள் திரளாக கலந்து கொண்டனர். அய்.சி.எப். நல சங்க நுழைவில் அமைக்கப்பட்ட வி.பி.சிங் சிலைக்கு தலைவர்கள், நிர்வாகிகள் மாலை அணிவித்தனர். சமூக நீதிக்காக பிரதமர் பதவியையும் துறந்த வி.பி.சிங் தியாகத்தையும் அவரது நேர்மையையும் அனைவரும் நினைவு கூர்ந்து பாராட்டி பேசினர்.

Jobs shrink in PSU

Central PSU jobs down 2.7 lakh over past decade: Govt data



Over the past decade, employment in Central public sector enterprises (CPSEs) has seen a double whammy of job reduction on the one hand and increasing contractualization of employment on the other.

These trends emerge from an analysis of Public Enterprises Survey reports from 2012-13 to 2021-22. The survey that covers CPSEs, certain statutory corporations and subsidiaries of these companies where more than 50% of the equity is held by the central government, shows that from 17.3 lakh employees in March 2013, the figure has reduced to 14.6 lakh for March 2022. The present round of surveys covers 389 CPSEs, of which 248 are operational.

Apart from the reduction in total employment by over 2.7 lakh, there has been a significant change in the type of employment. In March 2013, of the total 1.7 lakh employees, 17% were on contract while 2.5% were employed as casual/daily workers. The share of contract workers has increased to 36%

JOB CARD

Total CPSE employees (in lakh)				
As of March 31	Casual/ daily workers	Contract workers	Total	Casual/contract as % of total
2013	0.4	2.9	17.3	19
2014	0.3	3.1	16.9	20.1
2015	0.2	2.7	15.9	18.6
2016	0.2	2.7	15.2	18.9
2017	0.5	3.4	15.2	25.8
2018	0.4	3.4	14.7	25.8
2019	0.3	4.5	15.1	31.8
2020	0.5	5	14.7	37.4
2021	0.3	4.8	13.7	37.2
2022	1	5.2	14.6	42.5

Overall, 42.5% of those employed in CPSEs as of March 2022 fell in the category of contract or casual workers, whereas the corresponding figure was 19% in March 2013.

CPSEs with largest job losses

CPSE	March 2013	March 2022	Change
Bharat Sanchar Nigam Ltd	2,55,840	74,713	-1,81,127
Steel Authority Of India Ltd	1,86,207	1,24,279	-61,928
Mahanagar Telephone Nigam Ltd	39,283	4,286	-34,997
South Eastern Coalfields Ltd	73,718	44,578	-29,140
Food Corp of India	80,167	52,104	-28,063
Air India Ltd	27,985	Private	-27,985
Oil & Natural Gas Corporation Ltd	49,366	28,246	-21,120

in 2021-22, indicating that job loss is not entirely linked to losses incurred by central government units.

Coming to PSUs that created the most jobs, Indian Oil Corporation leads the list with about 80,000 jobs added in the past ten years. Ten CPSEs added more than 10,000 jobs each in the period under review and 13 reduced employments by over 10,000 each.

The fact that the aggregate profit of profit-making enterprises was Rs 2.6 lakh crore while the aggregate loss of those in the red was 1.5 lakh crore also dispels the widespread myth that most CPSEs have become white elephants.

(Source: Times of India 16th June 2023)

in 2022 while the share of casual/daily workers has increased to 6.6%. Overall, 42.5% of those employed in CPSEs as of March 2022 fell in the category of contract or casual workers, whereas the corresponding figure was 19% in March 2013.

Company-wise analysis shows that there are seven CPSEs where total employment reduced by more than 20,000 in the past ten years. The list is led by BSNL, where employment was reduced by about 1.8 lakh. This was followed by Steel Authority of India Limited and MTNL — both reporting over 30,000 job losses in this period.

Interestingly, the companies that reported job losses are both profit and loss-making CPSEs. BSNL and MTNL, for instance, figure in the list of top ten loss-making CPSEs in 2021-22 while Air India has been privatised. The list, however, also includes SAIL and ONGC — both of which figure in the list of highest profit-making CPSEs

CPSEs with largest job increases

CPSE	March 2013	March 2022	Change
Indian Oil Corporation Ltd	34,180	1,14,008	79,828
Mahanadi Coalfields Ltd	22,065	58,483	36,418
Nuclear Power Corp of India Ltd	11,596	33,831	22,235
Northern Coalfields Ltd	16,073	33,747	17,674
HPCL Rajasthan Refinery Ltd	Incorporated in Sep-2013	16,422	16,422

NCERT'S textbook revisions will hit low-income students hard



Parvati Sharma

Parvati Sharma is an author whose work includes biographies of Jahangir and Akbar

Every day brings further details of deletions from NCERT textbooks that have been 'rationalised', it is said, to reduce the academic burden on schoolchildren post-Covid. The rationale of the exercise is unclear. India has the dubious distinction of having had one of the world's longest school shutdowns during the pandemic — almost two years — during which only a small fraction of students could afford to attend online classes. Despite warnings of the adverse effects of such prolonged lack of access to schooling — particularly on low-income students — little was done to correct matters. It makes equally little sense, now, for the NCERT to offer this reduced syllabus to students after the pandemic is past: when schools were closed, millions of children received no education at all; now that they are open, they are to receive rather less than more of it.

The specific deletions are worrying, too. Much has been written on the removal of an entire chapter dealing with Mughal rule. Other Muslim kings and dynasties occupy similarly reduced space. History is not static by any means; its methods and focus change with every generation. If the NCERT had chosen to replace dynasties with their subjects — with the histories of everyday people — its revisions might have sparked a more useful, even progressive debate. But it isn't only Muslim kings who are being excised from textbooks, but also chapters on social movements and people's struggles (including agrarian movements and struggles for the rights of forest dwellers, the Narmada BachaoAndolan, the history of the Dalit Panthers, etc.).

The changes in science textbooks are no less troubling. Charles Darwin and his theory of evolution are no longer to be taught in Class 10 text-books, it seems. This deletion might appear quite arbitrary at first glance. There is a clear pattern that connects other deleted



subjects — the Mughals, the role of the RSS in Mahatma Gandhi's assassination, social justice movements, and state excesses like the Emergency or the 2002 Gujarat riots. Such deletions — whether they serve to purge textbooks of 'anti-Hindu bias' or imbue them with pro-state feeling — dilute any understanding of citizens' rights to be informed, protest and demand rather than lie low, applaud and obey.

Deleting the theory of evolution from textbooks may not seem to fit this larger idea, unless we see it in the context of the many non-scientific (indeed, anti-scientific) assertions that have been made by members of the ruling dispensation. Some years ago, a BJP chief minister claimed that ancient Indians had invented the internet. With specific regard to evolution, BJP MP Satyapal Singh has questioned and refuted Darwin's theory more than once, within Parliament no less. It is not hard to miss the upper-caste Hindutva pride that animates Singh's assertion that 'according to our culture we are children of rishis' — not monkeys.

While the NCERT's deletions from science textbooks may not have spurred as much debate as its social science deletions, they do appear to have worried schools much more. According to a report in The Print, several schools will continue to teach the deleted syllabus (including proof of the Pythagoras theorem and other concepts

fundamental to various scientific disciplines) because their students won't be able to compete in many entrance examinations otherwise. Reporting more recently on the deletion of the periodic table from the syllabus below Class 11, HT quotes a science teacher in a Delhi school who says they will continue "teaching the periodic table to Class 10 students so that they are well prepared when they get to study chemistry as a full-fledged subject in Class 11".

As was the case during the Covid pandemic, those who can afford it will continue to receive a good education — their schools will continue to teach them the science they need to get ahead, their homes may well be stocked with books that explore Indian history and society without the blinkers. For the rest, however, the large majority of low-income Indian students for whom education is a vital — sometimes only — way of achieving better lives, the NCERT is reducing both access to knowledge and the ability for critical thought.

There was a time, NCERT textbooks used to tell its readers, when women and shudras were not allowed to study the Vedas. That line has been 'rationalised', but the control over education and access to power that it implied appears frighteningly resurgent.

(Courtesy: Huffpost.com - Jul 26, 2020)



DHARNA 11 am JANTAR MANTAR NEW DELHI	DELHI CHALO 10th August 2023	SEMINAR 3 pm SPEAKER HALL ANNEXE Constitution Club, New Delhi
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**AIOBC
EMPLOYEES
FEDERATION
DEMANDS**



- **PROTECT PUBLIC SECTOR**
- **CONDUCT CASTE CENSUS**
- **REMOVE CREAMY LAYER**



**ALL INDIA FEDERATION OF OTHER BACKWARD CLASSES
EMPLOYEES WELFARE ASSOCIATIONS**

National Organisation representing Central Govt and Public Sector OBC Employees

139, BROADWAY, CHENNAI 600108 Mobile: 9381007998 Email: aiobcfederation@gmail.com

NEED FOR RESERVATION IN PRIVATE SECTOR



G. Karunanidhy

Post 1990, the advent of liberalization, privatization and globalization (LPG) in India, the disinvestment policy pursued by governments at the Centre has shrunk the job opportunities in Government departments and public sector undertakings. In particular, this policy is affecting the OBC, SC and ST educated youths to a great extent, as they now only grew in large numbers as educated groups. The reservation policy in force for the

OBC, SC and ST in State services is also becoming ineffective for these deprived groups.

Joint venture companies formed by the profit-making PSUs and the private sector is getting all importance and favour from the Government but this private sector, have no place for reservation policy. Measures at enlarging the scope for Foreign Direct Investment (FDI) and opening of various areas including



insurance etc., to multinational companies has turned the attention of these deprived youth towards these private sectors for their livelihood. But in the absence of any reservation policy to be followed by them, the chances of these youths getting placements in those sectors is not that easy, where the caste system certainly plays an important role.

In India, any talk of extending opportunities and representation for OBC, SC and ST are resisted by the captains of the Indian Industry. For them, any policy of affirmative action is dilution of merit and efficiency.

But these Industrialists must understand that in United States, where the affirmative action is applied for the Blacks and ethnical minorities who constitute nearly 20 per cent of America's population, the multinational companies themselves are concerned with diversity in society. They have honestly approached the issue and implementing the inclusive policy that the Blacks were able to represent in various firms to the extent of 20%.

The top Fortune 500 companies like Exxon Mobile, Walmart Stores, Ford Motors, IBM, the Media, and Universities apply the policy of affirmative action in US and the Blacks were able to have reasonable representation in those companies and Universities.

But in India, statistics reveal that in thousand Corporate Companies having nearly 9000 Board Members, the OBC represent just 3.8% and SC, ST represent 3.5%.

The private sector in India is not functioning independently. It gets all the support of the government in land, water and electricity and also funds from public sector banks. They have a social responsibility which they cannot ignore by quoting merit and efficiency. The deprived youths belonging to OBC, SC and ST having required suitability are ignored and hence necessary safeguards have to be effected in private sector.

The attempt by the previous government headed by Dr.Manmohan Singh where the Confederation of Indian Industry (CII) assured of

voluntary and self-regulatory system of inclusiveness has not had any effect.

Then Chief Minister of Maharashtra Sushil Kumar Shinde brought private sector reservation act in 2004 to provide reservation to SC and STs. But due to stiff resistance from industrialists lobby, the act could not be implemented.

The National Commission for Backward Classes (NCBC), a statutory body under the Ministry of Social Justice and Empowerment as well as to DoPT has already recommended in 2016 that a legislation be passed under which private entities, including businesses, hospitals, schools, trusts, etc. will have to reserve 27 per cent of jobs for OBCs.

Commenting on this NCBC's recommendation, Then, Hon'ble Social Justice Minister Thaawar Chand Gehlot said that "An official-level committee has been formed and the committee is consulting industrialists and corporate leaders as to what can be done on this".

But no action further has been taken towards this recommendation.

AIOBC Employees Federation demands that a bold decision be taken by the present Government headed by Prime Minister belonging to Backward Class, to implement reservation in private sector, keeping in mind the large number of educated, qualified youths belonging to OBC and other deprived sections.

(The writer is Editor, OBC Voice and General Secretary of AIOBC Employees Federation)

Affirmative Action in United States of America

Representation of Blacks

Fortune 500 Companies	Managers / Officers
Exxon Mobile	16.90%
Ford Motors	18.20%
IBM	21.56%
US based Boeing	18%
General Motors	23%

HARVARD UNIVERSITY

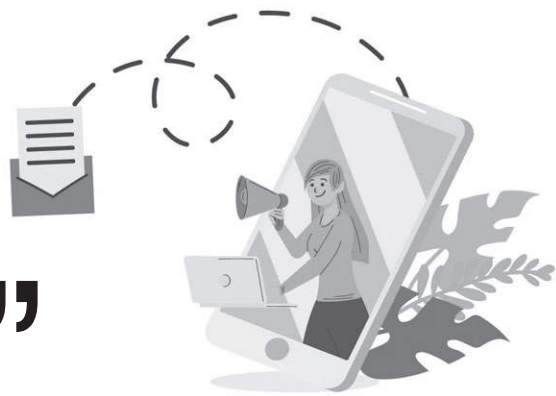
	1994	1999
Researchers	28.30%	33.90%
Teachers in Medical School	9.54%	13.67%
Trainees	30.31%	37.50%

JOURNALS

	Out of Total Workforce
Wall Street	17.10%
USA Today	18.70%
New York Times	16.20%
Washington Post	19.50%
Los Angels Times	18.70%

Source: Tehelka June 19 2004

निजी क्षेत्र में “आरक्षण”



जी. करुणानिधि

1990 के पश्चात् भारत में उदारीकरण, निजीकरण और वैश्वीकरण (एल.पी.जी.) के आगमन के साथ केन्द्र सरकार के द्वारा विनिवेश की नीति अपनाए जाने की वजह से सरकारी क्षेत्र तथा सार्वजनिक क्षेत्र के अंतर्गत रोजगार के अवसर में भारी कमी आ गई। इस नीति के कारण विशेष रूप से ओबीसी, एस.सी. तथा एस. टी. के शिक्षित युवा जो अभी सबसे बड़े शिक्षित समुदाय के रूप में उभरे हैं, बुरी तरह से प्रभावित हुए। अब ओबीसी, एस.सी. तथा एस.टी. के लिए राज्य

की सेवाओं में लागू आरक्षण भी इस वंचित समुदाय के लिए प्रभावहीन हो गया है।

लाभ अर्जित करने के उद्देश्य से सार्वजनिक क्षेत्र द्वारा बनाये गये संयुक्त उद्यम कंपनियों तथा निजी क्षेत्र के कंपनियों को सरकार से सारा महत्व और समर्थन मिलता है किन्तु निजी क्षेत्र में आरक्षण नीति की कोई व्यवस्था नहीं है। प्रत्यक्ष विदेशी निवेश (एफ.डी.आई.) के दायरे के बढ़ने एवं बीमा आदि सहित बहुराष्ट्रीय कंपनियों के अनेक क्षेत्रों के खुलने से वंचित युवा वर्ग का इन निजी कंपनियों में आजीविका के लिए ध्यानाकर्षण हुआ है। किन्तु इन क्षेत्रों



में आरक्षण नीति के नहीं रहने की वजह से इन क्षेत्रों में इन युवाओं को रोजगार मिलना आसान नहीं है, जहाँ निश्चित रूप से जाति व्यवस्था का अहम योगदान रहता है।

भारत में ओबीसी, एस सी तथा एस टी के लिए अवसर और प्रतिनिधित्व की बात का भारतीय उद्योगों के मालिकों द्वारा पुरजोर विरोध किया जाता है। ये सकारात्मक कार्रवाई (अफर्मेटिव ऐक्शन) की किसी भी नीति को योग्यता और कार्य क्षमता के साथ समझौता बता कर खारिज कर देते हैं।

किन्तु इन उद्योगपतियों को समझना ही होगा कि संयुक्त राष्ट्र अमेरिका में काले लोगों और जातीय अल्पसंख्यकों के लिए अफर्मेटिव ऐक्शन लागू है और ये अमेरिकन आबादी के 20% हैं। यहाँ बहुराष्ट्रीय कंपनियाँ स्वयं सामाजिक विविधता की चिंता करती हैं। ये इमानदारी पूर्वक मुद्दों को समझती हैं और नीतियों को लागू करने का उपक्रम करती हैं ताकि काले लोगों का प्रतिनिधित्व विभिन्न कार्य क्षेत्रों में 20% तक सुनिश्चित हो।

एक्सॉन मोबाइल, वॉलमार्ट स्टोर्स, फोर्ड मोटर्स, आइ बी एम जैसी 500 टॉप फॉर्च्यून कंपनियाँ, समाचार माध्यम एवं यूनिवर्सिटीज अमेरिका में अफर्मेटिव ऐक्शन लागू करते हैं जिससे कि काले लोगों को इन कंपनियों और यूनिवर्सिटीज में समुचित प्रतिनिधित्व मिल सके।

किन्तु भारत में आंकड़े बताते हैं कि हजारों कॉर्पोरेट कंपनियों के कोई 9000 बोर्ड सदस्यों में ओबीसी का प्रतिनिधित्व मात्र 3.8% और एससी/एसटी का प्रतिनिधित्व मात्र 3.5% है।

भारत में निजी क्षेत्र अपने बल बूते पर नहीं चलते हैं। इन्हें भूमि, जल एवं विद्युत के लिए सरकार से सारा सहयोग मिलता है और सारा वित्तीय सहयोग सार्वजनिक क्षेत्र के बैंकों से मिलता है। योग्यता और कार्य क्षमता का बहाना बनाकर ये अपने सामाजिक दायित्व से कतई मुंह नहीं मोड़ सकते। ओबीसी, एस सी तथा एस टी वर्ग से आने वाले वंचित युवा वर्ग की अपेक्षित योग्यता के बावजूद उपेक्षा की जाती रही है। इस लिए निजी क्षेत्र में इस वर्ग के लिए आवश्यक अभिरक्षा सुनिश्चित करना निहायत जरूरी है।

डा. मनमोहन सिंह के नेतृत्व वाली पूर्व केन्द्र सरकार के प्रयास से भारतीय उद्योग महासंघ (सी.आई.आई.) द्वारा स्वैच्छिक एवं स्व नियमन (वोलंटरी एण्ड सेल्फ-रेगुलेटरी) के आश्वासन आज तक पूरे नहीं हुए हैं।

महाराष्ट्र के तत्कालीन मुख्यमंत्री सुशील कुमार शिंदे ने वर्ष 2004 में एससी एवं एसटी को आरक्षण देने के लिए निजी क्षेत्र आरक्षण अधिनियम (प्राइवेट सेक्टर रिजर्वेशन ऐक्ट) लाया था। किन्तु उद्योग जगत के तीव्र विरोध के कारण यह अधिनियम लागू नहीं हो सका।

सामाजिक न्याय एवं अधिकारिता मंत्रालय के अंतर्गत सांविधिक निकाय “राष्ट्रीय पिछड़ा वर्ग आयोग” (एन.सी.बी.सी.) तथा कार्मिक एवं प्रशिक्षण विभाग (डीओपीटी) ने वर्ष 2016 में ही अनुशंसा की थी कि एक ऐसा कानून बनाया जाना चाहिए जिसके द्वारा व्यवसायिक प्रतिष्ठान, अस्पताल, स्कूल, ट्रस्ट्स आदि जैसे निजी संस्थाओं में ओबीसी के लिए 27% रोजगार आरक्षित हो।

राष्ट्रीय पिछड़ा वर्ग आयोग (एन.सी.बी.सी.) की अनुशंसाओं पर टिप्पणी करते हुए तत्कालीन माननीय सामाजिक न्याय मंत्री थावर चन्द गहलोत ने कहा था कि एक कार्यालय स्तरीय समिति का गठन किया जा रहा है और यह समिति उद्योगपतियों और कॉर्पोरेट लीडर्स के साथ संपर्क करके यह पता करेगा कि इस विषय में क्या किया जा सकता है।

किन्तु इन अनुशंसाओं पर आगे कोई भी कार्रवाई नहीं हो पाई है।

“अखिल भारतीय ओबीसी महासंघ” (ए.आई.ओ.बी.सी.) यह माँग करता है कि वर्तमान सरकार में ओबीसी समुदाय से आए प्रधानमंत्री ओबीसी तथा अन्य वंचित समुदाय के शिक्षित और सुयोग्य युवाओं की बड़ी संख्या को ध्यान में रखते हुए निजी क्षेत्र में आरक्षण नीति लागू करने का कड़ा निर्णय लें।

(लेखक “ओबीसी वोआइस” (“OBC VOICE”) पत्रिका के संपादक और अखिल भारतीय ओबीसी कर्मचारी महासंघ (AIOBC) के महासचिव हैं।)

Affirmative Action - abroad

Microsoft has a “**Minority diversity recruitment group**”. It funds blacks and ethnic students in education and training programmes, recruits blacks and other minorities through their organisations and buys a lot of stuff from black business houses and contractors. (Tehelka – june 19, 2004)

NASA (National Aeronautics Space Administration) has a special department set up to scout for talent. NASA may not have quotas, but it (and military training schools such as west point) has been doing all they can to find and develop talent from among the previously excluded minorities in the United States.

The US policy is one of “recruitment by non-discrimination”. There is an **Equal Employment Opportunity Commission** (EEOC) which oversees the government and the private sector and sues for damages in case of discrimination.

South Africa is the other nation trying to come to grips with this vexing issue. It has an **Employment Equity Act** that seeks prohibition and elimination of unfair discrimination, and promotes affirmative action. With its history of apartheid, South African laws are aimed more at preventing companies from barring blacks in offices.

Caste Hurts

Corporations In India And Abroad

Emerging research suggests caste-based losses to companies are similar to those due to a lack of gender and race diversity.

By **Christina Dhanaraj** and **Hari Bapuji**



Recent analyses on the State of California's lawsuit against Cisco have indicated widespread, yet unrecognized casteism among companies in the Silicon valley. The discourse so far has only focused on how caste operates within South Asian-dominated workplaces in the United States, but there is reason to believe that this is a global phenomenon. A study commissioned by the UK government in 2010 documented caste-based discrimination in British workplaces. Anecdotal and journalistic evidence have highlighted instances in Canada and Australia. Several cases have been documented in India, even among institutions that implement caste-based reservations.

Still, like Cisco, many institutions deny the existence of caste and the pervasive role it plays in shaping organisational practices. Recent arguments have focused on pointing out that caste-based discrimination, in any form, is morally wrong. This is not incorrect. People from caste-affected communities are constantly at risk of being discriminated against. They are often not recruited, citing ambiguous unquantifiable terms like "culture fit", and even if they are, a conducive environment does not exist for their growth along the organisational

hierarchy. As a result, decision-making positions remain out of reach even for those who demonstrate consistent performance.

But, isn't caste a problem for companies as well?

Research into how caste affects businesses is nascent, but emerging evidence indicates that caste-based losses for companies are similar to those that occur due to a lack of gender/race diversity.

How caste operates inside companies

Due to historic reasons, upper castes possess high economic, social, and cultural capital, which allows them to access economic opportunities and derive disparate benefit from them. This is partly the reason why there is minimal presence of individuals from caste affected communities within corporates. Neither do affirmative action policies, formally as reservations, nor as diversity initiatives mandate the recruitment of Dalit, Bahujan, and Adivasi candidates.

In 2009, Sukhdeo Thorat and Paul Attewell discovered through a research experiment that for every 10 upper caste Hindu applicants, only 6 Dalits and 3 Muslims received an interview call although all candidates had the same education and experience. Applicants with a typical Muslim or a Dalit name had a lower chance of success than their upper caste Hindu counterparts. Another study conducted by a research team led by Nobel laureate Abhijit Banerjee found similar results.

When companies are staffed with upper castes in executive positions, they tend to use company practices, such as recruitment, compensation, and corporate social responsibility, to benefit people similar to them. Hiring managers and recruiters, who are mostly upper-caste in South Asia (and in companies across the world that employ South Asians in these roles), subconsciously or even consciously, also look for those that are similar to them or people that fit certain stereotypes.

Professors Jodhka and Newman found that some hiring managers believed upper caste people are more suited for jobs in elite companies in a 2007 study. In the study, a manager is quoted to have said, "Jats are arrogant. They do not listen to anyone. Ahirs are tamed. Brahmins are more learned and can speak well. Scheduled castes (Dalits) are not vocal". Another had said, "Among scheduled castes, there is a lack of technical skills and their attitude is unmatchable for the company."

Caste-discriminatory practices such as isolation, exclusion, bullying, and harassment are also commonplace within Indian corporates, or in multinationals that have a sizable south-Asian population. Biases that exist against caste affected communities are translated into assumptions about language proficiency (bad English) and performance (quota candidate), and negative judgments on political affiliations, food choices, and socio-religious markers.

These perceptions have real-life consequences for Dalit, Bahujan and Adivasi (DBA) employees, such as being passed over for opportunities, appraisals, and promotions. They are considered to be far from the ideal high-performing archetype: an upper class, highly-networked, light-skinned, upper-caste cis-hetero male or its white/female equivalent.

This has led to a severe lack of DBA representation in C-suites, board appointments, and leadership teams. Despite upper castes constituting only 14% in India's overall population share, they occupy over 94% of corporate positions in India. OBCs (Bahujans) account for less than 2% and SC/STs (Dalits and Adivasis) account for a mere 0.01%, according to a 2019 paper by Ajit Dayanand, Han Donker, and John Nofsinger at the University of Alaska, Anchorage.

Caste is a problem for companies, not just for DBA employees

Yet, individuals and employees aren't the only ones who suffer; emerging research illustrates that caste is a problem for companies as well, in much the same way that the absence of gender or racial diversity hampers organisations.

To put it simply, more diverse companies tend to be more successful companies.

McKinsey's Diversity Matters report from 2015 shows that companies in the top quartile for racial and ethnic diversity are 35 percent more likely to have financial returns above national industry medians, and companies in the top quartile for gender diversity are 15 percent more likely to beat the median. McKinsey's more recent Diversity Wins report concludes that even in the COVID-19 crisis, diversity and inclusion matter more than ever, with higher representation leading to higher likelihood of outperformance. If diversity - gender, ethnic, and racial - generates benefits to companies, it is reasonable to assume the same for caste diversity as well.

Although multinational companies are not exposed to caste in the countries they are headquartered in, they are still at high-risk when operating on Indian soil or when employing South Asians in India and elsewhere. From an operational perspective, companies, themselves, or via contractors, are at risk of exploiting workers from caste affected communities, discriminating in their product and service offerings, and engaging in violation or misappropriation of marginalised people and their heritage. If these risks are not adequately assessed, quantified, and mitigated, it could result in hefty economic or reputational losses in the form of compensation for victims of discrimination, negative media coverage and the loss of public and employee goodwill.

More direct costs are also incurred. Research shows that inter-organisational relationships between companies are influenced by caste, rather than merit and efficiency considerations. For example, firms in India are more likely to acquire target firms that have directors of the same caste backgrounds, invariably resulting in suboptimal decisions. Acquiring firms end up paying a premium over the market price, and acquired firms perform poorly, with its directors receiving higher compensations.

Low caste diversity on corporate boards results in lower market value for firms. This is also true when CEOs and the board share caste affiliations. Novel ideas tend to originate outside of our social bubbles. So, firms with no Dalit, Bahujan, Adivasi individuals in its leadership ranks are deprived of information from diverse parts of the social system. This results in low efficiency and a lower firm value.

Similar caste backgrounds of employees can play a detrimental role in innovation, problem-solving, and conflict resolution. Lack of caste diversity leads to groupthink and poor recognition of market needs and sentiments. Recent advertisements of Facebook, Kent RO, and Shoppers Stop - all withdrawn following criticism - are consequences of companies not having Dalit Bahujan Adivasi professionals in decision-making positions. Not only does this result in a huge reputational loss, it can also lead to a smaller customer base.

Accusations of racism have led to a loss in business for companies globally. Starbucks lost nearly 16 Mn USD in lost sales due to a racist incident in Philadelphia. There is enough reason to predict that companies that practice casteism will suffer similar losses.

While the above shows how poor caste diversity affects companies, there are a number of other ways in which societal inequalities inflict losses - low employee morale, poor entrepreneurship, and hostile socioeconomic environment - all of which can impose costs on firms.

Next steps for companies

Given how caste is intrinsically linked to South-Asian populations, companies that have business operations in the Indian subcontinent and/or employ South Asians, must create caste-inclusive organisations for better business. Most multinationals have company policies that address discrimination based on sexual orientation, disability, race, gender, and age, few have included caste in the list.

Exclusion of caste from discrimination policies makes companies caste-blind, particularly so when they are staffed with managers from privileged castes. Companies need to conduct company-wide audits to begin understanding caste compositions of individual companies/teams, and examine how caste influences corporate culture and managerial decision making. Many other steps need to be taken, modelling on diversity and inclusion initiatives around the world to create truly inclusive organisations.

There is a long road ahead for companies that want to make a difference with respect to caste. The good news is there is no dearth of tools, resources, or data to help guide the way. But the question is, will companies take the lead now and reap the benefits or will they continue to ignore and bear the losses?

Christina Dhanaraj is a corporate professional Currently an advisor for smashboard.

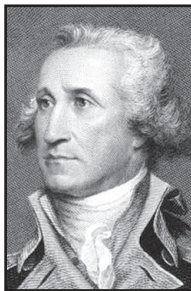
Dr. Hari Bapuji is a Professor of strategic management and international business at the University of Melbourne, Australia.

(Huffpost.com - Jul 26, 2020)

No bar in the Constitution for Proportionate Representation!

Vaeyuru Tholibangan

George Washington of the North American continent was not averse, in the 1750s, to pay tax to the Government of the United Kingdom, which he considered as his motherland from where his great-grandfather had migrated. But he wanted representation of the English people of the American continent in the Parliament of the UK, the power centre to rule the English people. "No taxation without representation" was his stand. Because taxation without representation makes the taxpayer only a "Subject" and not "Citizen". A citizen of a nation has a say in the making of his nation, while a subject has no such right of say but only the duty to pay tax.



In India, the power centre to rule the people is, in practice, not vested in the Legislature but in the Executive and the Judiciary. The first pillar, the Legislature is manipulated, controlled and cheated, in thoughts and action, by the Executive. Evidences are aplenty. Owing to lack of proportionate representation in the Executive and the Judiciary, the Non-Brahmins in India are, by and by, getting reduced to the status of "Subjects" after 1947.

During the Brahmins conference held on 19.01.1986 at Chennai, Mr. C.M. Sundaram, an important Brahmins Association leader of Kerala, who was also the then Minister of Local Administration of that State boasted, "Whether it was during the rule of the Moghuls or the

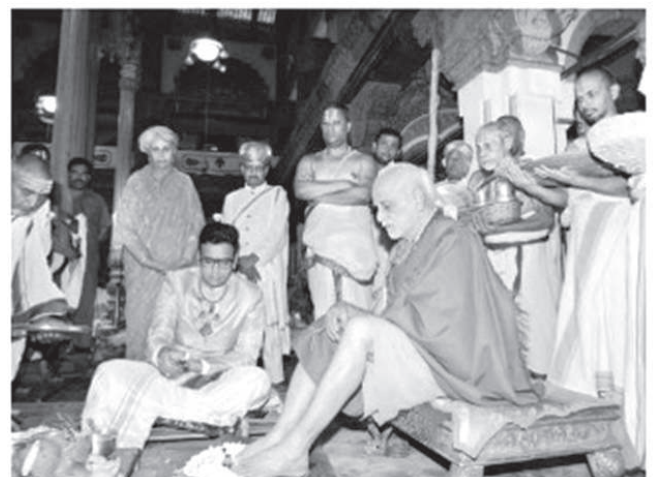
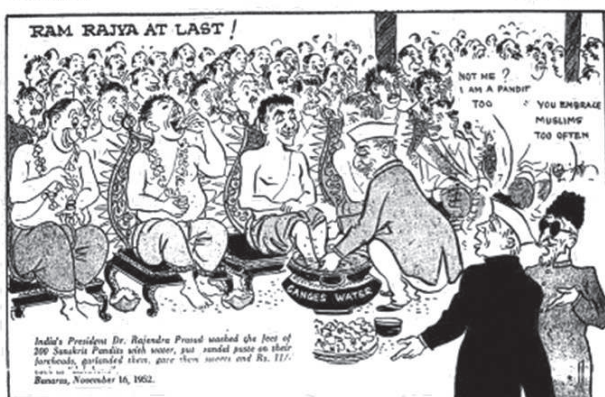
British rule, the power was only in our hands. Although we were not ruling the nation, we had the power to conduct the rulers". What he had said was true. "Brahmins strengthened their position over the noble and the rulers of the Kshatriya class" (Page 150 - The Development of Hinduism - 8 - Age of Reason - M.M. Ninan). The people belonging to STs, SCs and OBCs remained in those days only as Subjects and not as Citizens.

The Chaturvarna system, invented and used by the Brahmins helped them in the days of yore, to manipulate the kings to their will. They made kings fall at their feet. Kings remained vulnerable to the tactics of the Brahmins and were obligated to please the Brahmins no end. History tells us that the kings, except a very few, had always been placing all their resources at the disposal of Brahmin class. And, we saw that power in action, even in 1952, when President Rajendra Prasad performed the 'Paadapooja' of Brahmins, and again when the prince of the non-existent kingdom of Mysuru performed the same in 2015.

All this, because of the undue and disproportionate predominance of Brahmins in the Executive and the Judiciary. Even after the advent of British system of Judiciary, we could see Brahmin judges who interpreted the law of the land in the manner in which it would be convenient for the Brahmins to perpetuate their Brahmin-supremacist theory. Instances are a legion. If the Non-Brahmins in India should become real,

December, 1952

FILMINDIA



meaningful and full-fledged "Citizens" of the nation, at least in the future, it is essential that they should secure, now, the right to have proportionate representation in the top-level Executive as well as higher Judiciary.

The 50% vertical limit gone with the wind

The Nine-Judge Bench of the Supreme Court in the Mandal Commission case, the Indra Sawhney case, had, on 16.11.1992, accepted and recorded the fact that "there is no constitutional provision restricting reservation to 50%". Yet, they went beyond the Constitution and said that the Constituent Assembly debates did not permit reservation beyond 50%. Para 677 of the said judgment reads: "True as observed by Krishna Iyer, J., in *Soshit Karamchari* (Supra) and Chinnappa Reddy, J., in *Vasantha Kumar* (supra) that there is no constitutional provision restricting reservation to 50% but with profound respect, the debates in the Constituent Assembly, the provisions in the Constitution do not support the construction of Article 16(4) as empowering government to reserve posts for backward class of citizens in proportion to their population. Any construction of Article 16(4) cannot be divorced without taking into account Article 16(1). Equality in services has been balanced by providing equal opportunity to every citizen at the same time empowering the State to take protective measure for the backward class of citizens who are not adequately represented. This balancing of equality cannot be lost sight of while interpreting these provisions. Since there is no clear indication either way the role of the courts become both important and responsible, by interpreting the provision reasonably and with common sense so as to carry out the objective of its enactment. And the purpose was to enable the backward class of citizens to share the power if they were not adequately represented but not to grant proportional representation, a typical British concept rejected by our Founding Fathers."

In Para 681 of the said Mandal judgment, the Nine-Judge Bench of the Supreme Court recorded a Statement of Fact followed by its Opinion contrary to that Fact. And its opinion prevailed! The Court had said, "True no restriction was placed on size of reservation. But reason was the consensus understanding that it was for minority of seats. That apart the reservation under Article 16 (4) cannot be taken in isolation". The unassailable Fact, as repeatedly observed by that Nine-Judge Bench was that "no restriction was placed on the size of reservation".

The observations of the Supreme Court in various cases commencing from the *M. R. Balaji* case on 28.09.1962 would make it very clear for any discerning reader that the 50% ceiling was only a judicial invention and intervention and not a Constitutional prohibition. "Since this Court has consistently held that the reservation under Articles 15(4) and 16(4) should not exceed 50% and the States and the Union have by

and large accepted this as correct it should be held as constitutional prohibition and any reservation beyond 50% would liable to be struck down. Therefore, (i) Reservation under Article 16(4) should in no case exceed 50%; (ii) No reservation can be made for any class other than backward class either under Article 16(1) or 16(4). (iii) Preferential treatment in shape of weightage etc. can be given to those who are covered in Article 16(1) but that too has to be very restrictive", said the Supreme Court in the same Para 681.

Besides, the DOPT officials also contributed their mite to reduce the representation of suppressed classes in services and to keep them even below the permitted percentage of reservation, at any point of time, in practice. For that purpose, they worked overtime and invented a naive Post-based Roster through their O.M. dated 02.07.1997, stating that they were introducing that Roster which would ensure reservation by replacement. But there could be no such replacement, when one has to apply the ceiling of 50% to the current vacancies. That Roster was, in fact, an art of deception par excellence as demonstrated by the DOPT officials. That order dated 02.07.1997 proclaimed, "The Model Rosters have been drawn up keeping in mind two fundamental principles - the reservation for the entitled categories is to be kept within the prescribed percentage of reservation and the total reservation should in no case exceed 50% of the cadre". But, the strict observations of a Nine-Judge Bench about the 50% limit or the enthusiasm with which the DOPT officials went about to curtail the representation of STs, SCs and OBCs I services by citing the 50% formula, did not prevent the smaller Five-Judge Bench of the Supreme Court from upholding of the newly inserted Art. 16 (6) of the Constitution, which took the vertical reservation to 60% to give undue benefit to the oppressors.

Representation for oppressors, More-than-Proportionate

While the Nine-Judge Bench had, as seen earlier, observed, on 16.11.1992, that the grant of proportionate representation was "a typical British concept rejected by our Founding Fathers", a smaller Bench of five judges of the same Supreme Court has, almost thirty years later, on 07.11.2022, upheld the 103rd Constitutional Amendment that paved way for more than proportionate representation to the oppressor-classes which oppressed the rest in the entire history of this sub-continent. This amendment did not care about the quantum of representation of the oppressor castes in services. It just wanted to reward the oppressors, euphemistically and slyly using the phrase 'Economically Weaker Sections'. The Five-Judge Bench of the Supreme Court just confined itself to the literal insertion of Art. 16 (6) of the Constitution, which made reservation permissible to the Brahmins and others, even when the people from

these sections were already in excess, much in excess, in services, disproportionate to their ratio in population. The Five-Judge Bench did not insist on the data regarding the representation of those classes in services, which alone was relevant to decide the need or otherwise for reservation to those classes. Consequently, more than proportionate representation in services has been ensured through the 103rd Amendment which is being enforced with gusto now.

Oppressors, who caused ill effects, rewarded more

In para 399 of the Mandal judgment, the Nine-Judge Bench of Supreme Court had upheld the intimate and necessary nexus between (a) the “past handicap”, (b) the “ill effects of historical discrimination” faced by the backward classes in the caste-ridden society and the provision for reservation in services to enable those people to “share the power”. Those ill effects were the cause and the provisions of reservation were the effect. In other words, such a handicap and such ill effects were virtually made the Condition Precedent, before and for making a provision in the Constitution for reservation to those sections which underwent such sufferings. That Para 399 reads: “Reservation is meant to remedy the handicap of prior discrimination impeding the access of classes of people to public administration. It is for the State to determine whether the evil effects of inequities stemming from prior discrimination against classes of people have resulted in their being reduced to positions of backwardness and consequent under representation in public administration. Reservation is a remedy or a cure for the ill effects of historical discrimination.” But the smaller Five-Judge Bench has permitted reservation even for those oppressors who caused the “ill effects” to the suppressed classes, who caused the “handicap” to those oppressed people and who practised the “historical discrimination” against the rest. In other words, while those who were bitten by the rabid dog called Chaturvarna system were given “remedy or a cure” by

the earlier reservation formula, the 103rd Amendment has given reward to those who caused that dog to bite the others. In essence, the historical oppressors have now been given more benefits than what the oppressed people have been getting all along. Irony, indeed!

Significantly, the Five-Judge Bench of the Supreme Court did not examine and explain with reasons why the phrase “not adequately represented” was missing in Art. 16 (6). This flaw in the 07.11.2022 judgment of the Five-Judge Bench, makes it necessary to take up this matter with larger Bench of the Supreme Court in appeal.

Rejected economic criterion upheld now

Moreover, the smaller Bench judgment of 2022 has upturned many of the earlier judgments (even those of the larger Benches) in which the Supreme Court had said that the Founding Fathers had emphatically and repeatedly rejected the economic criterion for reservation in services.

EWS reservation perpetuates Chaturvarna system

That the EWS reservation is pro-Chaturvarna system. It will keep the society balkanised forever to fulfil the desire of the historical oppressors. They get more representation in services than what their proportion in population permits. They corner the power centres and make law as they please, as they were doing throughout the history of the sub-continent. This reservation through Art. 16 (6) will impliedly give legal recognition to the Vedic theory that all the Non-Brahmins in the Hindu fold are inferior to the Brahmins by birth. It is a matter of shame to allow this genetic calumny spread by the Brahmins against the oppressed Non-Brahmins to be perpetuated for eternity. The oppressed people are, therefore, entitled to seek proportionate representation to all categories of the people in India in all higher-level posts everywhere. Let the oppressed STs, SCs and OBCs become Citizens of the nation, at least now, and not continue to remain just Subjects. ■

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Venue: HOTEL RAMYAS (SOWBHAGYA HALL), Near Central Bus Stand, TRICHY
Sunday, 23rd July 2023 – 10.30 a.m.

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President

Welcome Address :

S.Natarajan

Gen.Secretary

Inaugural Address:

Thiru. R.Viswesvaran

Field General Manager,
Union Bank of India, Chennai Zone

Chief Guest & Valedictory Address:

Thiru. Tiruchi Siva, M.P.,

Leader, DMK Parliamentary Party in Rajya Sabha

Guest of Honour:

Thiru. Suresh Chandra Teli

Chief General Manager / Liaison Officer for OBC,
Union Bank of India, Central Office, Mumbai

Greetings by Distinguished Guests:

Thiru. G.Murugan

DGM/Liaison Officer for OBC, UBI, Chennai Zone

Thiru. C.Prabhu

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